UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

RESCUECOM CORPORATION,

Plaintiff, Civil Case No.: 5:04-CV-1055

vs.

GOOGLE, INC.,

Defendant.

Notice of Appeal to the United States Court of Appeals for the Second Circuit.

RESCUECOM Corporation, the plaintiff, appeals to the United States Court of Appeals for the Second Circuit from the final order of the District Court for the Northern District of New York, entered in this case on the 28th day of September, 2006, which granted defendant Google, Inc.'s motion to dismiss, dismissing counts I, II and III of plaintiff's complaint, with prejudice, and dismissing counts IV, V and VI without prejudice.

The parties to the order appealed from and the names and addresses of their respective attorneys are as follows:

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